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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/664,270	09/17/2003	Michael Lloyd Cochran	G&C 30074.43-US-U1	3421
22462	7590	02/06/2007		
GATES & COOPER LLP HOWARD HUGHES CENTER 6701 CENTER DRIVE WEST, SUITE 1050 LOS ANGELES, CA 90045			EXAMINER SONG, HOSUK	
			ART UNIT	PAPER NUMBER
			2135	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/06/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/664,270	<b>Applicant(s)</b> COCHRAN ET AL.	
	<b>Examiner</b> HOSUK SONG	<b>Art Unit</b> 2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 17 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 11-19, 25-33 and 39-42 is/are rejected.
- 7) ☒ Claim(s) 6-10, 20-24 and 34-38 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5,11-19,25-33,39-42 are rejected under 35 U.S.C. 102(e) as being anticipated by Lin et al(US 2004/0030908).

Claim 1: Lin discloses emulating a floppy drive communicatively coupled to the computer in a token via a USB-compliant interface in (fig.1 and page 2 paragraph 0028). Lin discloses booting the computer using the token in (page 3 pp 0039).

Claim 2: Lin discloses reading a password from the token and unlocking a hard drive using the password in (page 3, pp 0030; page 4, pp 0046-0047;). Lin discloses reading a boot-up sequence from a master boot record stored on the hard drive and executing boot-up sequence in (page 3,pp 0043).

Claim 4: Lin discloses the password is stored as a file in the emulated floppy drive in (page3,pp 0030).

Claim 5: Lin discloses password is stored in a secure memory of the token in (fig.1,24A and page 3,pp0030).

Claim 11: Lin discloses disabling the emulation of the floppy drive in (fig.1,3).

Clam 12: Lin discloses reading a boot up sequence from the token and performing the boot up sequence in (page,pp 0039).

Claim 13: Lin discloses automatically ceasing emulating the floppy drive after the computer is booted in (page,pp 0038).

Claim 14: Lin disclose authenticating the user using the token and the operating system and data stored or entered into the computer after the computer is booted in (page3,pp0039).

Claim 15: Lin discloses emulating a floppy drive communicatively coupled to the computer in a token via a USB-compliant interface in (fig.1 and page 2 paragraph 0028). Lin discloses booting the computer using the token in (page 3 pp 0039).

Claim 16: Lin discloses reading a password from the token and unlocking a hard drive using the password in (page 3, pp 0030; page 4, pp 0046-0047;). Lin discloses reading a boot-up sequence from a master boot record stored on the hard drive and executing boot-up sequence in (page 3,pp 0043).

Claim 18: Lin discloses the password is stored as a file in the emulated floppy drive in (page3,pp 0030).

Claim 19: Lin discloses password is stored in a secure memory of the token in (fig.1,24A and page 3,pp0030).

Claim 25: Lin discloses disabling the emulation of the floppy drive in (fig.1,3).

Clam 26: Lin discloses reading a boot up sequence from the token and performing the boot up sequence in (page,pp 0039).

Claim 27: Lin discloses automatically ceasing emulating the floppy drive after the computer is booted in (page,pp 0038).

Claim 28: Lin disclose authenticating the user using the token and the operating system and data stored or entered into the computer after the computer is booted in (page3,pp0039).

Claim 29: Lin discloses an input/output(I/O)interface communicatively coupleable to a computer and a processor,communicatively coupled to the processor in (fig.1). Lin disclose a memory, communicatively coupled to the processor, the memory for storing a plurality of processor instructions to emulate a floppy drive communicatively coupled to the computer, and for booting the computer using the token in (fig.1 and page 2,pp0028.pag3, pp0039).

Claim 30: Lin disclose at least one processor command for reading a password from the token and at least one processor command for unlocking a hard drive using the password in (page 3, pp 0030;

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page 4, pp 0046-0047). Lin disclose at least one processor command for reading a boot-up sequence from a master boot record stored on the hard drive and at least one processor command for executing boot-up sequence in (page 3,pp 0043).

Claim 32: Lin discloses the password is stored as a file in the emulated floppy drive in (page3,pp 0030).

Claim 33: Lin discloses password is stored in a secure memory of the token in (fig.1,24A and page 3,pp0030).

Claim 39: Claim 25: Lin discloses disabling the emulation of the floppy drive in (fig.1,3).

Clam 40: Lin discloses reading a boot up sequence from the token and performing the boot up sequence in (page,pp 0039).

Claim 41: Lin discloses automatically ceasing emulating the floppy drive after the computer is booted in (page,pp 0038).

Claim 42: Lin disclose at least one processor command for authenticating the user using the token and the operating system and data stored or entered into the computer after the computer is booted using the token in (page3,pp0039).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lin in view of Shen(US2001/0023375).

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Claims 3,17,31: Lin does not specifically disclose ATA-3 password. Shen patent disclose this limitation in (pag3,pp 0031). It would have been obvious to person of ordinary skill in the art at the time invention was made to employ ATA-3 password as taught in Shen with system of Lin in order to protect its hard drive even if it is removed from the computer since the hard drive is password protected.

***Allowable Subject Matter***

Claims 6-9,10,20-23,24,34-38 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


***USPTO Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HOSUK SONG whose telephone number is 5712723857. The examiner can normally be reached on mon-fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, KIM VU can be reached on 5712723859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
HOSUK SONG  
PRIMARY EXAMINER